

REMARKS**Amendment to claims should be entered:**

Independent claim 1 has been amended to include the amendment agreed upon by the Applicant's representative and the Examiner. Thus, the amendment to claims should be entered.

The Examiner may refer to the facsimile dated July 30, 2008, where this claim amendment now correctly recites the claim amendment discussed. The claims are amended based on the Examiner's Amendment of August 13, 2008 being entered. Therefore, the amendment to claims should be entered.

The Applicant only authorized the proposed claim changes as submitted in the facsimile dated July 30, 2008. The facsimile states: "the Applicant has authorized the proposed claim changes in an Examiner's amendment, only if the proposed claim set is to be allowed." Therefore, the amendment to claims should be entered.

Formal Restriction Requirement made of record:

The Examiner stated that claims 4-5 are to be canceled because they are independent and distinct inventions from the invention of claims 1-3 and 6-8, thus, subject to a Restriction Requirement. The Examiner indicated a formal Restriction Requirement will be included with the Examiner's Amendment. The Examiner has not provided the formal Restriction Requirement.

Upon contingency of entering the correct amendments to claims and the validity of the Restriction Requirement, an election was made. Furthermore, when an election is made, the Examiner must provide a formal restriction requirement in the next Office Action. MPEP 812.01 states:

"When an oral election is made, the examiner will then proceed to incorporate into the Office action **a formal restriction requirement** including the date of the election, the attorney's or agent's name, and a complete record of the

telephone interview, followed by a complete action on the elected *>invention as claimed,< including linking or generic claims if present.” Emphasis added.

Thus, Applicant is providing the Restriction Requirement as discussed with the Examiner:

Group 1 is directed to claims 1-3, where Group 1 is drawn to a line concentrator having a plurality of communication ports for relaying transmissions of communication data exchanged among network-compatible apparatuses connected through the communication ports, and

Group 2 is directed to claims 4-5, where Group 2 is drawn to a network-compatible apparatus.

Groups 1 and 2 are independent and distinct inventions. Thus, Group 1 was selected with traverse.

Applicant again respectfully asks the Examiner to provide a formal Restriction Requirement, so that, Applicant may file a division application if desired. However, if the Examiner does not provide the formal Restriction Requirement, the above Restriction Requirement is provided so that the record reflects the Restriction Requirement discussed with the Examiner and made of record by the Examiner. Further, if Applicant was incorrect in the type of Restriction Requirement made by the Examiner, the Examiner should substitute by amending the Restriction Requirement above.

References need to be provided:

The Examiner stated that there were references the Examiner found that required such a claim amendment. The Examiner stated that he would cite these references with the Examiner's Amendment (some references included Rypinski (U.S. Patent 5,440,560), Kim (U.S. Patent 6,105,143), Dai (U.S. Patent Publication 2002/0083356), and Bui (U.S. Patent Publication 2003/0126486)). The Examiner did not cite any references in the last correspondence; therefore, Applicant has provided a courtesy letter (including a courtesy SB-08) with some of the

references discussed by the Examiner. However, Applicant again respectfully asks the Examiner to cite all the relevant references that the Examiner found.

Conclusion

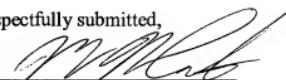
Applicants respectfully request that the amendment to claims be entered and the pending application be allowed.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Aslan Ettehadieh Reg. No. 62,278 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.147; particularly, extension of time fees.

Dated: September 15, 2008

Respectfully submitted,

By 
Michael R. Cammarata
Registration No.: 39,491
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant